



# City Council Agenda

Council President  
**Brad Castillo**

Councilmembers

**Tom Boyajian**  
**Brian Calhoun**  
**Mike Dages**

**Jerry Duncan**  
**Henry T. Perea**, Acting President  
**Cynthia Sterling**

City Manager  
**Daniel G. Hobbs**

City Clerk  
**Rebecca E. Klisch , CMC**

City Attorney  
**Hilda Cantú Montoy**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650

The City Council welcomes you to this meeting.

**TUESDAY, FEBRUARY 10, 2004**

***If you would like to speak, fill out a speaker request form available from the City Clerk's Office and in the Council Chambers. The agenda is available on [www.ci.fresno.ca.us](http://www.ci.fresno.ca.us) The Council meeting can also be heard live at the same web site address.***

## **8:30 A.M. ROLL CALL**

Invocation by Rabbi Robert Ourach of the Temple Beth Israel

Pledge of Allegiance to the Flag

Presentation of a Certificate of Recognition for Budget Preparation to the Budget and Management Studies Division from the Government Finance Officers Association of the United States and Canada

Presentation of a Certification of Recognition to the Students of the Accelerated Reading Program at Cooper Middle School - Councilmember Boyajian

Presentation of P.R.I.D.E. Team Certificates for the Winter Quarter - Reception immediately following (2<sup>nd</sup> Floor Foyer)

***Council action on unscheduled items, if any, shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda. For each matter considered by the Council, there will first be a staff presentation, followed by a presentation from the project applicant. Testimony from those in attendance will then be taken. All testimony given will be limited to three minutes per person.***

***The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with one minute remaining and one tone will sound. The speaker should be completing the testimony by the time the red light comes on and two tones sound, indicating that time has expired.***

Approve minutes of February 3, 2004

**Action Taken:**

Councilmember Reports and Comments

**Action Taken:**

Approve Agenda

**Action Taken:**

Adopt Consent Calendar

**Action Taken:**

1. **GENERAL CONSENT CALENDAR**

(All consent calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered at 2:00 p.m.

- A. \* **RESOLUTION** - 4<sup>th</sup> amendment to PAR No. 2003-210 to provide support personnel for the Neighborhood Traffic Unit - Police Dept.

**Action Taken:**

- B. **RESOLUTION** - Of intention to annex Final Tract No. 5067 to the City of Fresno Community Facilities District No. 2, Annexation No. 67 - Public Works Dept.

**Action Taken:**

<b>GENERAL CONSENT CALENDAR CONTINUED</b>
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- C. Resolutions pertaining to rescinding and superseding Resolution No. 2003-374:
1. \* **RESOLUTION** - Rescinding Resolution No. 2003-374, ordering the vacation of "N" Street and the "N-O" alley between Ventura and Freeway 41, Santa Clara Street between "N" and "O" Streets, a 20-foot wide alley along Freeway 41 between the "M-N" alley and the "N-O" alley, the "M-N" alley between Santa Clara Street and Freeway 41, and a sewer and water easement in Lot 6 in Block 122 of the Town of Fresno - Public Works Dept.  
**Action Taken:**
  2. \* **RESOLUTION** - Vacating portions of the same easements and rights-of-way that were addressed by Resolution No. 2003-374  
**Action Taken:**
  3. \* **RESOLUTION** - Vacating portions of the same easements and rights-of-way that were addressed by Resolution No. 2003-374  
**Action Taken:**
- D. \* Award a contract to ABM Janitorial Services, Inc. of Fresno for custodial services at various City facilities - General Services Dept.  
**Action Taken:**
- E. Resolution pertaining to personnel issues: (Personnel Services Dept.)
1. \* **RESOLUTION** - 5<sup>th</sup> amendment to Salary Resolution No. 2003-213 to retitle the class of Director of Transportation to Director of Aviation  
**Action Taken:**
  2. \* **RESOLUTION** - 6<sup>th</sup> amendment to PAR No. 2003-210 converting one (1) position from temporary to permanent in the Facilities Management Division of the General Services Department  
**Action Taken:**
- F. \* **RESOLUTION** - 58<sup>th</sup> amendment to AAR No. 2003-209 appropriating \$125,500 to fund the City's 30 percent share of the cost of amendment six to an existing contract with ERM West, Inc (**Requires 5 affirmative votes**) - Airports Dept.  
**Action Taken:**
1. Approve an Amendment No. 6 to an existing agreement with ERM West, Inc. for provision of professional engineering and related environmental support services for ongoing contamination investigation and interim action at Old Hammer Field/Fresno Yosemite International Airport consistent with an agreement between the potentially responsible parties (PRP's)  
**Action Taken:**
- G. \* **RESOLUTION** - 59<sup>th</sup> amendment to AAR No. 2003-209 appropriating \$833,400 to fund an new PART 150 Noise Compatibility Study at the Fresno Yosemite International Airport (FYI) (**Requires 5 affirmative votes**) - Airports Dept.  
**Action Taken:**
1. Approve a Professional Services Agreement with Harris, Miller, Miller and Hanson, Inc. for development of the study per FAA regulations  
**Action Taken:**

1. **GENERAL CONSENT CALENDAR CONTINUED**

- H. \* Award a ten-year extension of contract with Interspace Services, Inc. dba Interspace Airport Advertising covering the advertising concession at Fresno Yosemite International Airport - Airports Dept.  
**Action Taken:**
- I. \* Award parking management contract for Fresno-Yosemite International Airport to Ace Parking Management, Inc. - Airports Dept.  
**Action Taken:**
- J. Approve Amendment No. 1 to Aviation Lease and Agreement between Memley Aviation, Inc. a California Corporation and the City of Fresno - Airports Dept.  
**Action Taken:**
- K. Approve Amendment No. 4 to Aviation lease and Agreement between Frank X. Ruiz and Lorraine R. Ruiz, as individuals, Frank X. Ruiz Avionics, Inc., a California Corporation and the City of Fresno - Airports Dept.  
**Action Taken:**
- L. Approve Amendment No. 1 to Aviation Land and Building Lease and Agreement between William A. Newburn, Jr., an individual and the City of Fresno - Airports Dept.  
**Action Taken:**
- M. **RESOLUTION** - Approving the Final Map of Tract No. 5107 and accepting dedicated public uses therein; authorize Public Works Director and Planning and Development Director to execute the necessary documents - Planning and Development Dept.  
**Action Taken:**
- N. Approve appointments of Michael T. McDonald to the Civil Service Board and Councilmember Sterling to the Fresno-Madera Area Agency on Aging Board - Mayor Autry  
**Action Taken:**
- O. **RESOLUTION** - Authorizing acceptance of the California Multi-Jurisdictional Methamphetamine Enforcement Teams (CAL-MMET) 2003-2004 Grant Pass Through Award of \$263,242 and execution of program documents - Police Dept.  
1. \* **RESOLUTION** - 62nd amendment to AAR No. 2003-209 appropriating \$263,300 to the Police Department for the California Multi-Jurisdictional Methamphetamine Enforcement Teams (CAL-MMET) 2003-2004 Grant Program (***Requires 5 affirmative votes***) - Police Dept.  
**Action Taken:**
- P. **RESOLUTION** - Relating to approval of additional Administrative Leave for City Clerk and City Attorney based on performance evaluation  
**Action Taken:**

## TIME SCHEDULED HEARINGS AND MATTERS

**10:10 A.M.**     **HEARING** to consider Plan Amendment Application No. A-01-15, Rezone Application No. R-01-18, and environmental findings, filed by Rob Adolph on behalf of Bob Kammen et al, pertaining to 9.17 acres located on the northwest corner of N. Willow and E. Nees Avenues (***Property located in District 6***) - Planning and Development Dept.

**Action Taken:**

- a.     Consider and adopt finding of Mitigated Negative Declaration for Environmental Assessment A-01-15/R-01-18

**Action Taken:**

- b.     **RESOLUTION** - Amending the 2025 Fresno General Plan and the Woodward Park Community Plan

**Action Taken:**

- c.     **BILL** - Amending the Official Zone Map to rezone the site **from** AE-5/UGM (*Exclusive Five-Acre Agricultural/Urban Growth Management*) zone district **to** the C-2/UGM/cz (*Community Shopping Center/Urban Growth Management/conditions of zoning*) zone district

**Action Taken:**

**10:20 A.M.**     **HEARING** to reconsider Rezone Application No. R-03-28, and environmental findings, filed by Lennar Homes, for 18 acres located on the east side of N. Cornelia Avenue between W. Shields and W. Clinton Avenues (***Property located in District 1***) - Planning and Development Dept.

**Action Taken:**

- a.     Consider and adopt Environmental Assessment No. R-03-28/T-4544, finding of conformance with the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130)

**Action Taken:**

- b.     **BILL** - Amending the Official Zone Map to rezone the site **from** the R-R (County) zone district **to** the R-1/UGM (*Single-Family Residential/Urban Growth Management*) zone district

**Action Taken:**

**10:30 A.M.**     **HEARING** to consider the "Villa Santa Fe" Condominium Conversion Application and Vesting Tentative Tract Map No. 5180, filed by United Development Group, Inc., pertaining to 9.55 acres of land located on the northeast corner of E. Huntington Boulevard and "R" Street (***Property located in District 3***)

**Action Taken:**

- a.     Consider and adopt Categorical Exemption for Environmental Assessment No. T-5180

**Action Taken:**

- b.     **RESOLUTION** - Approving Vesting Tentative Tract Map No. 5180 proposing the creation of a one common lot condominium map; and the conversion of the "Villa Santa Fe" multiple-family apartment complex into a condominium project

**Action Taken:**

**10:45 A.M. - 11:00 A.M.**     **RECESS**

## **TIME SCHEDULED HEARINGS AND MATTERS CONTINUED**

**11:00 A.M.** Receive assessment report of the Economic Development Corporation's annual report for FY 03 - Economic Development Dept.

**Action Taken:**

1. **RESOLUTION** - Approving the appropriation of \$180,000 from contingency to fund the agreement between the City of Fresno and the Economic Development Corporation of Fresno County; and

**Action Taken:**

- a Authorize City Manager to execute agreement with the Economic Development Corporation of Fresno County for Fiscal Year 2004

**Action Taken:**

**2:00 PM #1** **CONTESTED CONSENT ITEMS**

**2:05 PM #1** **JOINT SESSION WITH THE FRESNO RECREATIONAL AUTHORITY**

- A. Appoint one (1) member to fill vacancy on the Fresno Recreational Authority

**Action Taken:**

**ADJOURN AUTHORITY**

**2:05 PM #2** **JOINT CLOSED SESSION WITH THE FRESNO RECREATIONAL AUTHORITY**

- A. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION, Govt. Code Section 54956.9, Subdivision (a)**

1. **Case Name:** City of Fresno; Fresno Recreational Facilities Financing Authority v. Peter Stravinski, et al.

**Action Taken:**

**2:05 PM #3** **CLOSED SESSION OF THE CITY COUNCIL**

- A. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** - Government Code Section § 54956.8  
**PROPERTY:** Central Valley Project (CVP) water supply contract (CVP contract) renewal

**CITY NEGOTIATORS:** Public Utilities Director, Contract Counsel (Hatch & Parent), and City Attorney

**NEGOTIATING PARTIES:** Bureau of Reclamation (Department of Interior, U.S. Government)

**UNDER NEGOTIATION:** Long-term water supply contract from CVP

**Action Taken:**

**2:05 PM #4** **CLOSED SESSION ANNOUNCEMENTS (IF ANY)**

## TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

2:45 P.M.

### JOINT SESSION WITH THE FRESNO REDEVELOPMENT AGENCY

Approve Agency minutes of January 13, 2004

**Action Taken:**

- A. **RESOLUTION** - Designating positions which shall be subject to the Conflict of Interest Code and defining categories of disclosure for such positions **(Council and Agency action)** - City Clerk's Office

**Action Taken:**

- B. Consider matters regarding Cedar-Shields Streetscape Project (Airport Area Revitalization Project Area)

1. **RESOLUTION** - Making certain findings pursuant to Section 33445 of the Community Redevelopment Law, authorizing the installation of public improvements and landscaping **(Council and Agency action)**

**Action Taken:**

2. Award a contract to American Paving Company of Fresno for the Cedar-Shields Streetscape Project in the Airport Area Revitalization Redevelopment Project Area **(Agency only)**

**Action Taken:**

- C. Consider taking certain actions relating to financing public improvements for Roeding Business Park Redevelopment Project Area (Phases I, II, And III)

**Action Taken:**

1. Approving a Loan and Reimbursement Agreement between the Agency and City for \$1.2 million for Phase I and II matching funds for project costs pursuant to the Economic Development Administration Grant - **(Council and Agency action)**

**Action Taken:**

2. **RESOLUTION** - Making certain findings and authorizing the execution and delivery of the Tax Allocation Loan Agreement between the Redevelopment Agency and the California Infrastructure and Economic Development Bank (1 Bank) and approving certain other matters in connection therewith (loan not to exceed \$2,118,000) - **(Agency only)**

**Action Taken:**

3. **RESOLUTION** - Making certain findings and authorizing the Agency's execution and delivery of the Tax Allocation Loan Agreement between the Redevelopment Agency and the California Infrastructure and Economic Development Bank (1 Bank) (loan not to exceed \$2,118,000) - **(Council only)**

**Action Taken:**

4. **RESOLUTION** - Making certain findings and authorizing the execution and delivery of the Site lease and the Facilities lease between the City of Fresno and the 1 Bank and approving certain other matters in connection therewith (loan not to exceed \$2,441,100) - **(Council only)**

**Action Taken:**

**TIME SCHEDULED HEARINGS AND MATTERS CONTINUED**

**3:00 P.M.      WORKSHOP** regarding medical plans and Health & Welfare Trust - Personnel Dept. - **Meeting Room "A" - 2165N**

**2.      GENERAL ADMINISTRATION**

- A.**      Approval of rent credit of \$125,000 for Fresno Diamond Group as settlement of unresolved claim contained in Section 3.5(e) of Lease Agreement between the City of Fresno and Fresno Diamond Group - City Manager's Office  
**Action Taken:**

**3.      CITY COUNCIL**

- A.**      Direct City Manager to develop a five-year plan to create Senior Citizen Centers throughout the City of Fresno with potential funding sources - Acting President Perea  
**Action Taken:**

**4.      PUBLIC COMMENT PERIOD - No Council action except to place on future agenda.  
Presentation limited to three (3) minutes.**

- A.**      **Scheduled Public Comment -**
- B.**      **UNSCHEDULED COMMUNICATION** - Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date.

**SCHEDULED COUNCIL HEARINGS AND MATTERS**

<b>Feb.</b>	<b>17 -</b>	<b>NO MEETING - PRESIDENT'S DAY</b>
<b>Feb.</b>	<b>24 -</b>	<b>10:00 A.M.      HEARING</b> re: Community Facilities District No. 2, Annexation No. 60, Final Tract Map No. 5098
<b>Feb.</b>	<b>24 -</b>	<b>10:05 A.M.      HEARING</b> re: Community Facilities District No. 2, Annexation No. 61, Final Tract Map No. 4598
<b>Feb.</b>	<b>24 -</b>	<b>10:10 A.M.      HEARING</b> re: Community Facilities District No. 2, Annexation No. 62, Final Tract Map No. 5189
<b>Feb.</b>	<b>24 -</b>	<b>10:20 A.M.      HEARING</b> re: Rezone Appl. No. R-03-50, Plan Amendment No. A-03-08, filed by Ephesian's Management Group
<b>Feb.</b>	<b>24 -</b>	<b>10:30 A.M.      HEARING</b> re: Rezone Appl. No. R-03-17, filed by Lennar Homes
<b>Feb.</b>	<b>24 -</b>	<b>11:00 A.M.      Accept</b> City of Fresno Comprehensive Annual Financial Report (CAFR) for FY 2003 - Finance Dept.
<b>Feb.</b>	<b>24 -</b>	<b>3:00 P.M.      WORKSHOP</b> re: Urban forestation - Public Works Dept. - <b>Meeting Room "A" - 2165N</b>
<b>Feb.</b>	<b>24 -</b>	<b>4:00 P.M.      WORKSHOP</b> re: Mello-Roos - Public Works Dept. - <b>Meeting Room "A" - 2165N</b>
<b>Feb.</b>	<b>24 -</b>	<b>5:00 P.M.      WORKSHOP</b> re: Social Services funding - Acting President Perea - <b>Meeting Room "A" - 2165N</b>



<b>SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED</b>
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Mar.	9 -	9:45 A.M.	Report from the Blue Ribbon Commission relating to Historic Preservation
Mar.	9 -	10:00 AM#1	<b>HEARING</b> re: Rezone Appl. No. R-03-47, Vesting Tentative Tract No. 5169 and CUP Appl. No. C-03-169, filed by Harbor & Assoc. on behalf of Patriot Homes and McKinley Ventures, LLC
Mar.	9 -	10:00 AM#2	<b>HEARING</b> re: Community Facilities District No. 2, Annexation No. 63, Final Tract Map No. 5173
Mar.	9 -	10:05 A.M.	<b>HEARING</b> re: Community Facilities District No. 2, Annexation No. 64, Final Tract Map No. 5148
Mar.	9 -	10:10 A.M.	<b>HEARING</b> re: Community Facilities District No. 2, Annexation No. 65, Final Tract Map No. 5127
Mar.	9 -	10:15 A.M.	<b>HEARING</b> re: Community Facilities District No. 2, Annexation No. 66, Final Tract Map No. 5206
Mar.	9 -	10:20 A.M.	<b>HEARING</b> re: Rezone Appl. No. R-03-74, filed by Mario Valmonte
Mar.	9 -	10:30 A.M.	<b>HEARING</b> re: Rezone Appl. No. R-03-75, filed by Tim Hodges
Mar.	16 -	8:30 A.M.	Presentation of Driver Appreciation Awards for the 3 <sup>rd</sup> and 4 <sup>th</sup> Quarter - Council President Castillo
Mar.	16 -	10:00 A.M.	<b>HEARING</b> re: Community Facilities District No. 2, Annexation No. 67, Final Tract Map No. 5067
Mar.	16 -	10:05 A.M.	<b>HEARING</b> re: Rezone Appl. No. R-03-30, filed by Logan and Associates on behalf of Derrell's Mini Storage
Mar.	16 -	2:15 P.M.	<b>WORKSHOP</b> re: Neighborhood Infrastructure Master Plan - Public Works Dept.
Mar.	16 -	3:15 P.M.	<b>WORKSHOP</b> re: Transportation Overview - Public Works Dept.
Mar.	23 -	NO MEETING	
Mar.	30 -	10:00 A.M.	<b>HEARING</b> - To adopt a resolution to vacate portions of Weldon, Glenn, and Calaveras Avenues - Public Works Dept.
Mar.	30 -	10:15 A.M.	<b>HEARING</b> re: Rezone Appl. No. R-03-73, filed by Ed Daniels
Apr.	6 -	10:00 A.M.	<b>HEARING</b> re: vacation of Washington Avenue between Thesta Street and the Fresno-Howard Alley, Howard Street between McKenzie Avenue and Washington Avenue, and the Howard-Thesta Alley north of McKenzie Avenue (R.I. No. 1033-D)

**UPCOMING WORKSHOPS**

Feb.	24 -	3:00 P.M.	Urban forestation - <b>Meeting Room "A" - 2165N</b>
Feb.	24 -	4:00 P.M.	<b>WORKSHOP</b> re: Mello-Roos - Public Works Dept. - <b>Meeting Room "A" - 2165N</b>
Feb.	24 -	5:00 P.M.	<b>WORKSHOP</b> re: Social Services funding - Acting President Perea - <b>Meeting Room "A" - 2165N</b>
Mar.	16 -	2:15 P.M.	<b>WORKSHOP</b> re: Neighborhood Infrastructure Master Plan - <b>Public Works Dept.</b>
Mar.	16 -	3:15 P.M.	<b>WORKSHOP</b> re: Transportation Overview - Public Works Dept.